

MESSAGE NO: 3065305 MESSAGE DATE: 03/06/2013

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: FR CITE DATE:

REFERENCE 9350208
MESSAGE #
(s):

CASE #(s): A-588-028

EFFECTIVE DATE: 03/31/1992 COURT CASE #:

PERIOD OF REVIEW: 04/01/1984 TO 03/31/1988

PERIOD COVERED: TO

Notice of Lifting of Suspension Date: 03/31/1992

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: LIQUIDATION INSTRUCTIONS FOR ROLLER CHAIN, OTHER THAN BICYCLE FROM JAPAN PRODUCED BY HITACHI METALS/HITACHI INTERNATIONAL FOR THE PERIOD 04/01/1984 THROUGH 03/31/1988 (A-588-028)

NOTE: THE DATE IN THE LIFTING OF SUSPENSION FIELD IN THE HEADER ONLY REFLECTS THE LATEST POSSIBLE LIFTING OF SUSPENSION DATE FOR THIS TIME PERIOD (THE EXPIRATION OF FOUR YEARS AFTER 03/31/1988) AND DOES NOT REFLECT THE ACTUAL LIFTING OF SUSPENSION DATE FOR ALL ENTRIES DURING THE PERIOD, WHICH IS THE EXPIRATION OF FOUR YEARS FROM THE DATE OF ENTRY.

1. FOR ALL ENTRIES OF ROLLER CHAIN, OTHER THAN BICYCLE FROM JAPAN PRODUCED BY HITACHI METALS/HITACHI INTERNATIONAL (A-588-028-122) ENTERED OR WITHDRAWN FROM WAREHOUSE FOR CONSUMPTION DURING THE PERIOD 04/01/1984 THROUGH 03/31/1988, ASSESS ANTIDUMPING DUTIES AT THE RATE IN EFFECT ON THE DATE OF ENTRY.

2. THE LIFTING OF STATUTORY SUSPENSION OF LIQUIDATION OCCURRED AT THE EXPIRATION OF FOUR YEARS FROM THE DATE OF ENTRY (19 USC 1504(D)(1978)).

3. IN MESSAGE NUMBER 9350208 DATED 12/16/1999, CBP WAS ADVISED THAT THE ANTIDUMPING DUTY FINDING ON ROLLER CHAIN, OTHER THAN BICYCLE FROM JAPAN WAS REVOKED EFFECTIVE 04/01/1997, AND WAS ORDERED TO DISCONTINUE THE SUSPENSION OF LIQUIDATION OF ENTRIES AFTER 04/01/1997.

4. THERE ARE NO INJUNCTIONS APPLICABLE TO THE ENTRIES COVERED BY THIS INSTRUCTION.

5. THE ASSESSMENT OF ANTIDUMPING DUTIES BY CUSTOMS AND BORDER PROTECTION ON ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CBP PAYS INTEREST ON OVERPAYMENTS OR ASSESSES INTEREST ON UNDERPAYMENTS OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST

PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE OF PAYMENT OF ESTIMATED ANTIDUMPING DUTIES THROUGH THE DATE OF LIQUIDATION.

SECTION 778 OF THE TARIFF ACT OF 1930 WAS AMENDED EFFECTIVE 10/30/1984. THEREFORE, FOR ENTRIES OF THE SUBJECT MERCHANDISE WHICH ENTERED PRIOR TO 10/30/1984, THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS EITHER THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD, OR EIGHT PERCENT, WHICHEVER IS HIGHER. FOR ENTRIES OF THE SUBJECT MERCHANDISE WHICH ENTERED ON OR AFTER 10/30/1984, THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

6. THE REGULATION AT 19 CFR 353.55 COVERING THE REIMBURSEMENT OF ANTIDUMPING DUTIES WENT INTO EFFECT ON 02/05/1980 AND WAS IN EFFECT DURING THE PERIOD COVERED BY THESE INSTRUCTIONS (04/01/1984 THROUGH 03/31/1988). THE IMPORTER WAS REQUIRED TO FILE THE REIMBURSEMENT CERTIFICATE WITHIN 30 DAYS AFTER THE EARLIER OF: 1) PUBLICATION OF THE ORDER OR ANY ADMINISTRATIVE REVIEW THEREOF PURSUANT TO 19 CFR 353.55 OR, IF APPROPRIATE, 19 CFR 353.49 OR 2) IMPORTATION OF THE MERCHANDISE IN A DISTRICT IN WHICH NOT PREVIOUSLY IMPORTED. IF AN IMPORTER TIMELY FILES A PROTEST CHALLENGING THE PRESUMPTION OF REIMBURSEMENT AND DOUBLING OF DUTIES, CONSISTENT WITH CBP'S PROTEST PROCESS, CBP MAY ACCEPT THE REIMBURSEMENT STATEMENT FILED WITH THE PROTEST TO REBUT THE PRESUMPTION OF REIMBURSEMENT.

7. IF THERE ARE ANY QUESTIONS BY THE IMPORTING PUBLIC REGARDING THIS MESSAGE, PLEASE CONTACT THE CALL CENTER FOR THE OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE AT (202) 482-0984. CBP PORTS SHOULD SUBMIT THEIR INQUIRIES THROUGH AUTHORIZED CBP CHANNELS ONLY. (THIS MESSAGE WAS GENERATED BY CU:JKD).

8. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

MICHAEL B. WALSH

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party